

HFA Administrative Rule**R 325.1901 Definitions**

(5) “Authorized representative” means that person or agency which has been granted written legal authority by a resident to act on behalf of the resident or which is the legal guardian of a resident.

Technical Assistance:

Pursuant to the homes for the aged (HFA) rules, a resident may appoint an authorized representative. An authorized representative often assumes many responsibilities and interacts with the resident and home for the aged on a regular basis. The scope of the authorized representative’s authority is established in the HFA rules. In general, if a resident appoints an authorized representative, it does not take away the resident’s right to make his/her own decisions. **Limited exceptions may exist for court-appointed guardians and/or other persons acting with lawful authority.**

The following references to the HFA licensing rules better illustrate the possible role of an authorized representative.

Participation in the admission process:

- provide necessary intake and health care information as well as facilitate receipt of a written health care statement and TB screening results. Rules 325.1922 (6) (7), 325.1942, and 325.1943.
- assist with the completion of a resident service plan at the time of admission and review with the facility at least annually and when significant changes are needed. Rule 325.1922 (2) (5) (10).
- review and approve a resident admission contract at the time of admission and when it is changed. Rule 325.1922 (3) (4).
- may waive prescribed medical nutrition therapy. Rule 325.1952(4)

Receipt of notices from the licensee such as notice of:

- incident, accident, elopement. Rule 325.1901 (17), 325.1924.
- discharge or emergency discharge. Rule 325.1922 (13) (15).
- repeated and prolonged use of medicine prescribed on an as needed basis. Rule 325.1932 (3).

Again, the authorized representative generally has a limited scope of authority and may not violate a resident’s rights as protected by MCL 333.20201 (2) in any way.

Administrative Rule and Statutory Cross Reference

325.1901 (17) – Reportable incident/accident

325.1922 (2-7) (10)(13)(15) - Admission

325.1924 – Reporting of incidents, accidents, elopement

325.1932(3) – Resident medications

325.1942 – Resident records

325.1943 – Resident registers

325.1952(4) – Meal nutrition therapy

MCL333.20201(2) Resident rights